

AO 440 (Rev. 12/09) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

for the

Southern District of Texas

Compass Bank, as Successor in Interest to the  
Laredo National Bank

*Plaintiff*

v.

Walter C. Keller Distribution, Inc. and Tom Yates  
Petroleum Co., Inc.

*Defendant*

Civil Action No. 5-08-CV-68

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Chevron USA, Inc.  
By serving its registered agent,  
Prentice-Hall Corp. System  
211 East 7th Street, Suite 620  
Austin, Texas 78701-3218

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Barry Snell  
Bayne, Snell & Krause  
8626 Tesoro Drive, Suite 500  
San Antonio, Texas 78217  
Telephone: (210)824-3278  
Telecopier: (210)824-3937

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 3/25/11

Sara a [Signature]

*Signature of Clerk or Deputy Clerk*

AO 440 (Rev. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. 5-08-CV-68

## PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for (name of individual and title, if any) Chevron USA, Inc.  
 was received by me on (date) April 18, 2011.

☐ I personally served the summons on the individual at (place) \_\_\_\_\_  
 on (date) \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with (name) \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on (date) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) Prentice-Hall Corp. System, who is  
 designated by law to accept service of process on behalf of (name of organization) Chevron USA, Inc.  
by Certified Mail on (date) April 20, 2011; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other (specify): \_\_\_\_\_

My fees are \$ 35.00 for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date:

4/22/11

Sworn to this <u>25</u> day of <u>April</u> <u>2011</u>
By: <u>Keith A. Needels Jr.</u> Server
<u>Keith A. Needels Jr.</u> Notary Public, State of Texas

Keith A. Needels Jr.  
 Server's signature  
Keith A. Needels Jr.  
 Printed name and title  
PO. Box 17871 SA. TX 78217  
 Server's address

Additional information regarding attempted service, etc:

